NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

NO. 417-53803-2020

IN THE INTEREST OF	§	**IN THE DISTRICT COURT**
	§	
	§	**417th JUDICIAL DISTRICT**
	§	
CHILDREN	§	**COLLIN COUNTY, TEXAS**

ADDITIONAL TEMPORARY ORDERS IN SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP

At the request of the Court, sua sponte, and without any emergency pleadings before the Court to be heard on September 7th, 2020, the Court ORDERED counsel for the parties to appear via telephonic conference call and, at the conclusion of the call issued the following orders:

Appearances

Petitioner, MICHAEL J. LONG, appeared through attorneys of record, Jamie Graham and Sarah Lishman.

Respondent, KELLY LONG, appeared through attorneys of record, David Routzon and Amber Shemesh.

Findings

The Court FINDS that due to the ongoing criminal investigation against KELLY LONG involving the child S.L., that MICHAEL J. LONG is awarded temporary possession of S.L. beginning immediately as of the date and time of this Order.

The Court further FINDS that as to J.L., and L.L., minor children herein, there has been no criminal allegation or outcry of abuse or family violence. As a result, it is ORDERED that KELLY LONG shall continue to have the right to possession of J.L. and L.LO.

Exchange of Possession on September 7, 2020

It is ORDERED that MICHAEL J. LONG shall return the children to KELLY LONG at 6:00 p.m. on September 7, 2020 at the Waco Police Station, 3115 Pine Ave., Waco, Texas 76708. MICHAEL J. LONG is ORDERED to escort J.L. and L.L. inside the police station building and release possession to KELLY LONG or a designated representative of KELLY LONG or from the Waco Police Department. MICHAEL J. LONG is then ORDERED to vacate the premises immediately upon releasing possession.

Conservatorship

The following orders are for the safety and welfare and in the best interest of the children:

All previous rights and duties awarded to the parties, as well as all prior orders made by this Court during the pendency of this case, shall continue in place with the following exceptions and modifications:

Modified Temporary Orders as to S.L.:

MICHAEL J. LONG shall have the right to temporary possession of the child, S.L. at all times with the corresponding duties of care as stated in Texas Family Code § 153.074.

MICHAEL J. LONG shall have the right and duty to enroll the child in the public school within the public school zone wherein he resides and ensure regular attendance;

KELLY LONG shall be entitled to 1 hour (60 minutes) of zoom communication with the child S.L. each day between 7 pm – 8 pm or at another time mutually agreed to by the parties. MICHAEL J. LONG shall NOT be present in the room with the child during that call and is ordered to provide a separate room in his home wherein the child can participate in the zoom call without others in the room and without interruption.

Modified Temporary Orders as to J. L. and L.L.:

KELLY LONG shall be awarded temporary supervised possession of the children J. L. and L.L. at all times with the corresponding duties of care as stated in Texas Family Code § 153.074. Supervision shall be by the maternal grandmother, Kim Mitton.

KELLY LONG shall continue to have the right and duty to enroll the child in the public school within the public school zone wherein she resides and shall ensure regular attendance;

MICHAEL J. LONG shall be entitled to 1 hour (60 minutes) of zoom communication with the children, J.L. and L.L. each day between 7 pm – 8 pm or at another or at another time mutually agreed to by the parties. KELLY LONG shall NOT be present in the room with the child during that call and is ordered to provide a separate room in his home wherein the child can participate in the zoom call without others in the room and without interruption.

Zoom Calls

Per the previous Orders of the Court, MICHAEL J. LONG is ORDERED to set up and initiate the nightly zoom calls for the parents to be able to zoom with the child or children not in their possession.

Modified Orders related to Medical Information and Notification

Each parent is ordered to notify the other of any medical appointments, including emergency medical care, prior to the children receiving any such medical attention.

Each parent is ordered to provide all relevant information in their possession regarding any such medical care including the name of the facility and location where the child or children will be seen and the name of the treating physician or physicians.

Each parent is ordered to sign any HIPAA authorizations or releases with each and any medical provider who sees and/or treats the child or children to permit the other parent immediate and complete access to any and all medical records of the children and immediate and complete access to communicate with any of the medical professionals involved in the child's care.

Modified Orders related to counseling of S.L. by Carrie Wigginton

The Court ORDERS that MICHAEL J. LONG shall ensure that S.L. shall continue counseling with Carrie Wigginton. Ms. Wigginton shall determine the direction of the counseling and shall determine whether the child shall attend counseling virtually or in person.

The Court FINDS that, at this time, a counseling session for S.L. is scheduled to take place in person at 6:30 pm on Tuesday, September 8, 2020 and that the counselor shall be notified of these Orders and shall communicate to the parties if she requests that this counseling session take place as scheduled and in person or virtually.

The Court further ORDERS that MICHAEL J. LONG shall make S.L. available for future counseling sessions as directed by the counselor.

Modified Orders as to Unrelated Adult Men

The Court further expands on its previous order related to having unrelated adult men in the presence of S.L. and ORDERS that both parents are enjoined from having any unrelated adult male children in the presence of S.L. at any time, including but not limited to, KELLY LONG's boyfriend Jacob Bellington.

Modified Orders as to Psychological Evaluations by Dr. Blake Mitchell

The Court ORDERS that each party is to contact Dr. Blake Mitchell immediately to schedule the earliest possible date to conduct the psychological evaluation. MICHAEL J. LONG's psychological evaluation is to be expedited.

Required Notices

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS $10,000.

THE COURT MAY MODIFY THIS ORDER THAT PROVIDES FOR THE SUPPORT OF A CHILD, IF:

(1) THE CIRCUMSTANCES OF THE CHILD OR A PERSON AFFECTED BY THE ORDER HAVE MATERIALLY AND SUBSTANTIALLY CHANGED; OR

(2) IT HAS BEEN THREE YEARS SINCE THE ORDER WAS RENDERED OR LAST MODIFIED AND THE MONTHLY AMOUNT OF THE CHILD SUPPORT AWARD UNDER THE ORDER DIFFERS BY EITHER 20 PERCENT OR $100 FROM THE AMOUNT THAT WOULD BE AWARDED IN ACCORDANCE WITH THE CHILD SUPPORT GUIDELINES.

Warnings

WARNINGS TO PARTIES: FAILURE TO OBEY A COURT ORDER FOR CHILD SUPPORT OR FOR POSSESSION OF OR ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO $500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

FAILURE OF A PARTY TO MAKE A CHILD SUPPORT PAYMENT TO THE PLACE AND IN THE MANNER REQUIRED BY A COURT ORDER MAY RESULT IN THE PARTY'S NOT RECEIVING CREDIT FOR MAKING THE PAYMENT.

FAILURE OF A PARTY TO PAY CHILD SUPPORT DOES NOT JUSTIFY DENYING THAT PARTY COURT-ORDERED POSSESSION OF OR ACCESS TO A CHILD. REFUSAL BY A PARTY TO ALLOW POSSESSION OF OR ACCESS TO A CHILD DOES NOT JUSTIFY FAILURE TO PAY COURT-ORDERED CHILD SUPPORT TO THAT PARTY.

Duration

These Temporary Orders shall continue in force until the signing of the final order or until further order of this Court.

These Temporary Orders were issued to the lawyers at 10:00 a.m. September 7, 2020, but not provided to the Court until after 7:00 p.m. by Mother's Attorney. Therefore, the Court is signing without the need for attorney approval as to form and after the orders were ordered to be provided to the Court.

SIGNED on September 7, 2020. At 8:02 p.m.

JUDGE PRESIDING